

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

DATE: Dec 16, 2004

CLERK'S MINUTES OF HEARING

HEARING BEFORE: SPECIAL MASTER VICKIE L. GABIN

CASE NAME & NUMBER: STATE OF NM v. ARAGON, 69CV07941-AB

RIOCHAMA ATTADICATION, SECTIONS 3, 5 & 7

DATE OF HEARING: DECEMBER 14, 2004

TIME: 9:30 a.m.

COUNSEL:

PLAINTIFF:

EDWARD NEWVILLE, DSG

DEFENDANTS:

SEE ATTACHED LISTS

NOTES: RE: Order Setting Status Conference, # 7615 filed 10-14-04  
Status conference was held as scheduled at USDC in  
Santa Fe. Matters discussed included:

1) General status of the adjudication of Sections  
3, 5 & 7: Sec 3 - 85 subpart still open mostly in  
Congress; Sec 5 agreement on two remaining subparts  
has been reached; Sec 7 - 50% closed.

2) Status of federal non-Indian claims in Sections  
3 & 5: Counsel at conference detailed schedule for  
these federal claims, US State to circulate proposed  
schedule to Congress by Feb 1, 2005

3) Proposed scheduling and procedural order for CIR.

COURT REPORTER: NONE

OTHERS IN ATTENDANCE:

SEE ATTACHED LISTS

7686

OSC-9 interested parties to confer and send proposed scheduling order on duty of water and methodology to Special Master by February 1, 2005; the proposal will be on agenda for February 10 general status conference

4) Proposed scheduling order for E&O claims in Section 2: Counsel to compile list of tasks + proposed scheduling order and send to Special Master by Feb 1; the proposed order will be on agenda on February 10

5) Status of adjudication of state law-based water rights of Jicarilla Apache: counsel is to prepare status report for Special Master as soon as possible and submit proposed scheduling order Feb 10.

6) Status of historical reports for Sections 3 & 7: parties to advise Special Master of possible changes to Orders 75 & 67 filed 8-26-04

7) Status of litigation of remaining Rio Grande disputed subfiles: Reasons for delay in progress discussed as were different problems with different subfiles; attys are to confer and submit to Special Master proposed amendments to pretrial orders as soon as possible. The status of these subfiles will be again on the agenda for the February 10 general status conference

## CHAMA ADJUDICATION

State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE  
Sections 3, 5 & 7 General Status Conference

Tuesday, December 14, 2004

## ATTENDANCE

Please Print

NAME	ADDRESS	ZIP CODE	TELEPHONE
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Hilario Rubio	OSE		827-3822
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Andrea Sandoval	PO Box 635 La Madera, NM	87539	(505) 583-9292

Ruby A Chacon	P.O. Box 163 Gallina NM	87047	638-5386
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**CHAMA ADJUDICATION**

***State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE***  
**Sections 3, 5 & 7 General Status Conference**

**Tuesday, December 14, 2004**

**ATTENDANCE**

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SUSAN JORDAN NORDHAUS LAW FIRM

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